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Attorneys for Defendant
CITY OF WALNUT CREEK

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PROFESSIONAL CARE
MANAGEMENT, INC. dba BELINDA M.
DESIGNS, and BELINDA McNEELY,

Plaintiffs,

vs.

CITY OF WALNUT CREEK,

Defendant.

Case No. C05-02452

**STIPULATION & REQUEST FOR BRIEF
CONTINUANCE OF MOTION DATES &
[PROPOSED] ORDER THEREON**

TO THE HONORABLE JUDGE ILLSTON:

By stipulation, the parties to this action hereby jointly request a minor continuance of the motion, briefing, and hearing deadlines for good cause and in good faith, as follows:

Since the recent case management conference, the parties stayed depositions to further explore settlement;

A settlement offer is pending and the City is considering same;

Depositions are no longer stayed, and Plaintiff is currently taking depositions of City of Walnut Creek employees;

Those depositions are likely to produce evidence admissible in support of, or in defense

Stipulation & Request For Brief Continuance of
Case Management Dates

of, the City of Walnut Creek's summary judgment motion;

Those depositions will not be completed until February 15, 2006;

As a result, the parties stipulate to the following, proposed, minor continuance of the current relevant case management dates:

<u>Item</u>	<u>Current Date</u>	<u>Proposed New Date</u>
City's MSJ	2/3/06	2/15/06
Plaintiff's Opposition	2/17/06	3/1/06
City's Reply	2/24/06	3/7/06
Hearing	3/10/06	3/17/06
Pretrial Conference	4/4/06	No change.
Trial	4/17/06	No change.

Alternatively, the parties stipulate to a lesser continuance, as the Court sees appropriate under the circumstances.

There have been no prior requests for continuances.

Dated: January 25, 2006

SELLAR, HAZARD, MCNEELY & MANNING

By: /s/

James Ficenec
Attorneys for PROFESSIONAL CARE
MANAGEMENT, INC. dba BELINDA M. DESIGNS,
and BELINDA McNEELY

Dated: January 25, 2006

McNAMARA, DODGE, NEY, BEATTY, SLATTERY,
PFALZER, BORGES & BROTHERS LLP

By: 

Martin J. Ambacher
Gary A. Watt
Attorneys for Defendant
CITY OF WALNUT CREEK

ORDER RE CONTINUANCE OF CASE MANAGEMENT DATES

The stipulated request for continuance of the current dispositive motion and related dates is hereby:

[GRANTED]

[DENIED]

Good cause appearing, and the parties so stipulating, the current dates are amended as follows:

<u>Item</u>	<u>Current Date</u>	<u>New Date</u>
City's MSJ	2/3/06	[2/15/06] or [_____]
Plaintiff's Opposition	2/17/06	[3/1/06] or [_____]
City's Reply	2/24/06	[3/7/06] or [_____]
Hearing	3/10/06	[3/17/06] or [_____]
Pretrial Conference	4/4/06	[No change] or [_____]
Trial	4/17/06	[No change] or [_____]

IT IS SO ORDERED.

Dated: _____



The Honorable Susan Illston,
Judge Of The United States District Court
For The Northern District of California

The pretrial filing deadlines have been extended to March 28, 2006.

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